

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

KEVIN JOYCE,

No. C 07-05404 JCS

Plaintiff(s),

ORDER OF DISMISSAL

v.

MIDWESTERN WHOLESALERS INC,

Defendant(s).

The Court having been advised that the parties have agreed to a settlement of this case,
IT IS HEREBY ORDERED that this case is dismissed in its entirety with prejudice; provided,
however, that if any party hereto shall certify to this Court, within sixty (60) days, with proof of service
of a copy thereon to opposing counsel, that the agreed consideration for said settlement has not been
delivered over, the foregoing Order shall stand vacated and this case shall forthwith be restored to the
calendar to be set for trial.

IT IS SO ORDERED.

Dated: June 23, 2008



JOSEPH C. SPERO
United States Magistrate Judge